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Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN ARMSTRONG, et al.,

Plaintiffs,

v.

ARNOLD SCHWARZENEGGER, et al.,

Defendants.

) Case No. C 94 2307 CW

) **ORDER CONFIRMING UNDISPUTED**
) **BOARD OF PAROLE HEARINGS**
) **ATTORNEYS' FEES AND COSTS FOR**
) **THE THIRD QUARTER OF 2008**

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN ARMSTRONG, et al.,)	Case No. C 94 2307 CW
)	
Plaintiffs,)	ORDER CONFIRMING UNDISPUTED
)	BOARD OF PAROLE HEARINGS
v.)	ATTORNEYS' FEES AND COSTS FOR
)	THE THIRD QUARTER OF 2008
ARNOLD SCHWARZENEGGER, et al.,)	
)	
Defendants.)	
)	

On March 21, 2001, the District Court ordered all further fee and expense requests and disputes in the Board of Parole Hearing (BPH)¹ portion of the case shall be resolved through the periodic fee process established by this Court's March 26, 1997 order.

On March 26, 1997, the District Court established procedures by which plaintiffs are to collect periodic attorneys' fees and costs in this case in connection with their work monitoring defendants' compliance with the Court's Orders and collecting fees.

Pursuant to these procedures, plaintiffs delivered by overnight delivery their Third Quarterly Statement for 2008 to defendants on November 6, 2008. Defendants submitted their objections to plaintiffs' statement on December 16, 2008. The parties completed their meet and confer on January 6, 2009, and reached an agreement.

The parties agree to the total payment of \$149,529.89 in undisputed fees and costs, for monitoring and fee collection activities in the BPH portion of the case for the Third Quarterly

¹ The former Board of Prison Terms (BPT) was part of a state government reorganization effective July 1, 2005, and is now known as the Board of Parole Hearings (BPH).

1 Statement for 2008, which will become due and owing forty-five days from the entry of this Order.
2 Attached hereto as Exhibit A is a chart setting forth the balance due.

3 IT IS HEREBY ORDERED that plaintiffs' fees and costs of \$149,529.89, plus interest, are
4 due and collectable as of forty-five days from the date of entry of this Order. Interest on these fees
5 and costs will run from December 8, 2008 accruing at the rate provided by 28 U.S.C. §1961.

6 IT IS SO ORDERED.

7 1/12/09



8 Dated: _____

9 Claudia Wilken
10 United States District Judge

11 APPROVED AS TO FORM:

12
13 /s/ Jay C. Russell

DATED: 1/9/09

14 Jay C. Russell
15 Deputy Attorney General
16 Attorney for Defendants

17 /s/Holly Baldwin

DATED: 1/9/09

18 Holly M. Baldwin
19 Rosen, Bien & Galvan, LLP
20 Attorneys for Plaintiffs